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NOTE VERBALE DATED 24 JULY 1991 FROM THE PERMANENT MISSION OF JAPAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Japan to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the latter's note SCPC/7/91/91 (4-1) of 3 July 1991, requesting information regarding the application of the provisions in paragraph 4 of Security Council resolution 700 (1991) of 17 June 1991.

The Permanent Representative is pleased to inform the Secretary-General of the following:

1. The Government of Japan, in accordance with the Three Principles on Arms Exports adopted in 1967 and the Policy Guideline on Arms Exports adopted in 1976 (see annex), takes a very strict position with respect to the exportation of arms and equipment related to arms production, and virtually prohibits such exportation to all regions of the world.

2. In addition, in August 1990, the Government of Japan took the following measures in order to comply strictly with Security Council resolution 661 (1990) of 6 August 1990:

(1) Exports of all goods to Iraq became subject to approval by the Minister of International Trade and Industry; trade activity is thus virtually prohibited (with the exception, on humanitarian grounds, of medical and related services, and basic foodstuffs);

(2) Transactions of service with Iraq became subject to approval by the Minister of International Trade and Industry and/or the Minister of Finance; such activity is virtually prohibited;

(3) Any engagement by Japanese nationals and vessels flying the Japanese flag in cargo transactions originating in or destined for Iraq is prohibited.

3. In consequence of the above, the Government of Japan strictly fulfils all obligations contained in paragraph 24 of resolution 687 (1991) of 3 April 1991; therefore, any additional measures to carry out the above-mentioned obligations are not necessary.

Annex

1. Three Principles on Arms Exports

On 21 April 1967, Prime Minister Eisaku Sato declared the Three Principles on Arms Exports at the Diet Session:

Arms Exports to the following countries shall not in principle be allowed:

(1) Communist bloc countries;

(2) Countries subject to embargoes on arms exports under the United Nations Security Council's resolutions; and

(3) Countries engaged or likely to be engaged in an international conflict.

2. Policy Guideline on Arms Exports

On 27 February 1976, Prime Minister Takeo Miki announced the Government Policy Guideline on Arms Exports at the Diet Session:

(1) The Government, in keeping with Japan's position as a peace-loving nation, has been dealing carefully with arms exports so as to avoid any possible contribution to international conflict. The Government will continue to do so in accordance with the following Policy Guideline and shall not promote arms exports;

(i) Arms exports to areas specified in the Three Principles shall not be allowed;

(ii) Arms exports to other areas shall be avoided, in conformity with the spirit of the Constitution and the Foreign Exchange and Foreign Trade Control Law; and

(iii) Export of arms production-related equipment shall be dealt with in the same way as "arms" are.

(2) "Arms" as referred to in the Three Principles are defined as "goods which are used by military forces, and which are directly employed in combat".